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April 26, 2006

Via E-File

Hon. David R. Homer
United States District Court Magistrate Judge
Northern District of New York
James T. Foley U.S. Courthouse
455 Broadway
Albany, New York

Re: Priddis Music, Inc. v. Trans World Entertainment Corporation
Civil Action No. 05-CV-0491 (DNH/DRH)

Dear Judge Homer:

My law firm is counsel to Plaintiff Priddis Music with respect to the above case.

The parties have exchanged some documentary discovery, as well as demands for the production from each other of additional documents. Plaintiff has supplied in excess of a thousand pages of documents, but, aside from modest initial disclosures, Defendant has produced nothing in response to Priddis document demand. Rather, Defendant has heavily objected to all of Priddis demands and responded to others only as follows: [Defendant], after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this request. Defendant s responses to interrogatories also contain numerous objections and similar promises of production or response at some future, unspecified time. It is respectfully submitted that the responses offered by Defendant do not amount to good faith discovery. Depositions are set for early May and the discovery closure date is June 1, 2006.

I write to request that the court set a conference next week to assist the parties in resolving these discovery issues. Kindly contact my Partner, Michael J. Hall, 447-3399 or myself if the court is available for such a conference.

Respectfully submitted,

McNAMEE, LOCHNER, TITUS & WILLIAMS, P.C.

/s/ Kenneth L. Gellhaus
Bar roll number 101755

KLG/tlw

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cc: J. Matthew Donahue, Esq.
Philip J. Iovieno, Esq.
Boies, Schiller & Flexner LLP
Michael J. Hall